IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1889 OF 2005

Surendra Jagannath Ghagtare & Anr... Petitioners

Vs.

Assistant Superintendent and Ors. ... Respondents

Ms. Anita Borkar for Petitioner.

Mrs. S.M. Dandekar, A.G.P. for R. Nos. 1 and 2.

Mr. S. Chaurasia i/by A.M. Sarogi for R. Nos. 3 to 6.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA,JJ.
DATED: SEPTEMBER 12, 2006

P.C.:

. The Petitioner had moved by chamber summons in the suit to be added as party. That has been rejected. It will be open to the Petitioners to challenge the said by appropriate proceedings. Considering the controversy and the facts that are required to be gone into, we do not propose to exercise our extra ordinary jurisdiction on the facts of the present case, and leave the Petitioners at liberty to take out such proceedings including by way of joinder in the suit which is pending, or o take out separate proceedings if the suit has already been dismissed. Petition disposed of.

(ANOOP V. MOHTA,J.) **(F.I.REBELLO, J.)**